

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMERICAN NEIGHBORHOOD
MORTGAGE ACCEPTANCE
COMPANY, LLC, a limited liability
company,

Plaintiff

v.

TAMARA LINN MCNEIL, an
individual,

Defendant

CIVIL CASE NO.: 1:23-CV-21959-
KMW-AMD

**DECLARATION OF CONNOR M.
MANNION, ESQ. IN SUPPORT OF
PLAINTIFF AMERICAN
NEIGHBORHOOD MORTGAGE
ACCEPTANCE COMPANY LLC'S
REQUEST FOR THE ENTRY OF
DEFAULT AGAINST DEFENDANT
TAMARA LINN MCNEIL
PURSUANT TO FED. R. CIV. P.
55(A)**

CONNOR M. MANNION, ESQ., of full age, hereby declares pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney-at-law of the State of New Jersey, and an associate at Cole Schotz P.C., counsel to Plaintiff American Neighborhood Mortgage Acceptance Company LLC (“Plaintiff”) in the above-captioned matter. As the attorney responsible for the prosecution of this matter, I am familiar with the facts set forth herein, and I submit this declaration in support of the Plaintiff’s request for the entry of default against defendant Tamara Linn McNeil (“Defendant”) with respect to Plaintiff’s Complaint [Doc. No. 1].

2. This action was commenced on November 6, 2023 by Plaintiff. (*See* Complaint [Doc. No. 1].)

3. On November 13, 2023, Defendant was personally served with Plaintiff's Complaint. (A copy of the affidavit of service is appended hereto as **Exhibit "A."**)

4. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendant was required to answer or respond to the Plaintiff's on or before **December 4, 2023.**

5. To date, Defendant has neither answered nor otherwise responded to Plaintiff's Complaint, and the time within which she may do so has expired.

6. Upon information and belief, Defendant is neither an infant nor incompetent. Upon further information and belief, Defendant is not presently engaged in any military service on behalf of the United States of America. (A copy of an affidavit of non-military service is appended hereto as **Exhibit "B."**)

7. Consequently, Plaintiff respectfully request that the Clerk of Court enter default against defendant Tamara Linn McNeil pursuant to Federal Rule of Civil Procedure 55(a) for failing to plead or otherwise defend himself against Plaintiff's Complaint.

I declare, under penalty of perjury, under the laws of the United States of America that the foregoing is true and correct.

Connor M. Mannion

EXECUTED ON: January 16, 2024

EXHIBIT A



Plaintiff

AMERICAN NEIGHBORHOOD MORTGAGE ACCEPTANCE COMPANY LLC D/B/A ANNIE MAC
HOME MORTGAGE

Defendant

vs

TAMARA LINN MCNEIL, AN INDIVIDUAL

Person to be served: TAMARA LINN MCNEIL, AN
INDIVIDUAL
Address:
4605 SHAFTESBURY COURT
CARMICHAEL CA 95608

Attorney:

COLE SCHOTZ, P.C.
26 MAIN STREET P.O. BOX 800
HACKENSACK NJ 07602-0800

Papers Served:

SUMMONS & COMPLAINT WITH EXHIBITS; CIVIL COVER SHEET

Service Data:

Served Successfully Not Served _____ Date: 11/13/2023 Time: 11:10am Attempts: 3 Delivered a copy to him/her personally

Name of Person Served and relationship/title

Tamara Linn MCNeil
Personally

 Left a copy with a competent household member over 14 years of age residing therein at place of abode. Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc.

Description of Person Accepting Service:

Age: 55 Height: 5'8 Weight: 185 Hair: Gray Sex: Female Race: White

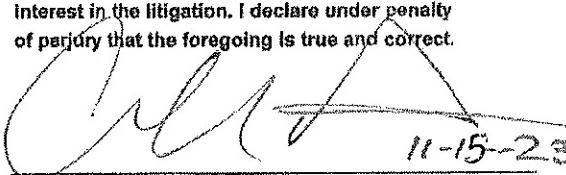
Non-Served:

- () Defendant is unknown at the address furnished by the attorney
 () All reasonable inquiries suggest defendant moved to an undetermined address
 () No such street in municipality
 () No response on: _____ Date _____ Time
 _____ Date _____ Time
 _____ Date _____ Time

() Other: _____ Comments or Remarks _____

Subscribed and Sworn to me this
15 day of November 2023

I, Celina Alvarado, was at time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.



11-15-23

Notary Signature

Signature of Process Server

Date

DGR LEGAL, INC.
1359 Littleton Road, Morris Plains, NJ 07950-3000
(973) 403-1700 Fax (973) 403-9222

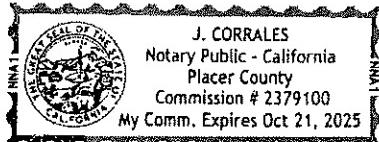
Work Order No. 677464
File No. 64248-0017

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

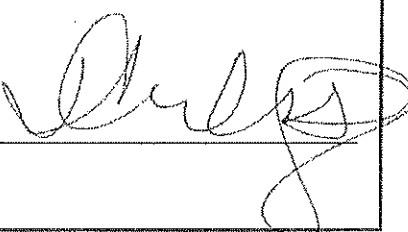
State of California
County of Placer

Subscribed and sworn to (or affirmed) before me on this 15 day of November, 2023, by Celina Alvarado

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature 

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

**AMERICAN NEIGHBORHOOD
MORTGAGE ACCEPTANCE COMPANY,
LLC,**
Plaintiff

V.

SUMMONS IN A CIVIL CASE

TAMARA LINN MCNEIL,
Defendant

CASE
NUMBER: 1:23-CV-21959-KMW-AMD

TO: (*Name and address of Defendant*):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



ISSUED ON 2023-11-07 15:47:38, Clerk
USDC NJD

EXHIBIT B

, Plaintiff(s)**- against -**

TAMARA LINN MCNEIL, AN INDIVIDUAL

, Defendant(s)**AFFIDAVIT OF NON-MILITARY SERVICE**

I, KELLY ARMINIO , THE UNDERSIGNED, AM AND WAS ON THE DATES HEREIN
 MENTIONED, OVER THE AGE OF 18 YEARS AND NOT A PARTY TO THE ACTION,
 FOUND THE FOLLOWING INFORMATION BASED UPON THE DEPT. OF DEFENSE DATA CENTER.

01/10/24 TAMARA LINN MCNEIL- SS# [REDACTED]
 01/10/24 MILITARY STATUS INQUIRY INDICATES, BASED ON
 THE NAME AND SS# PROVIDED ABOVE, THAT THE
 DEPARTMENT OF DEFENSE MANPOWER DATA CENTER
 SHOWS THAT TAMARA LINN MCNEIL IS NOT
 CURRENTLY ACTIVE DUTY WITH THE U.S. MILITARY.
 SEE ANNEXED.
 09/19/23 IF DGR CAN BE OF FURTHER ASSISTANCE IN THIS
 MATTER, PLEASE ADVISE.

THE DEFENDANT(S) : TAMARA LINN MCNEIL

RESIDENCE: 4605 SHAFTESBURY COURT
CARMICHAEL CA 95608

ALTERNATE: UNKNOWN

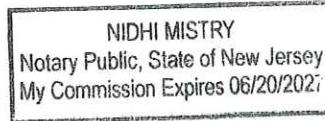
IS (ARE) NOT IN THE ARMED FORCES OF THE UNITED STATES AT THE PRESENT TIME,
 AND HAS (HAVE) NOT BEEN ORDERED TO REPORT FOR INDUCTION UNDER THE SELECTIVE
 TRAINING AND SERVICE ACT, THE SERVICEMEMBERS CIVIL RELIEF ACT, IT'S
 SUPPLEMENTS AND AMENDMENTS.

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 10th DAY OF Jan , 2024

BY: _____





DGR Legal, Inc.

1359 Littleton Road, Morris Plains, NJ 07950-3000

File # 64248-0017

(973) 403-1700 Fax (973) 403-9222

Work Order # 687310



**Status Report
Pursuant to Servicemembers Civil Relief Act**

SSN:

[REDACTED]

Birth Date: Jul-XX-1972

Last Name: MCNEIL

First Name: TAMARA

Middle Name: LINN

Status As Of: Jan-10-2024

Certificate ID: LV0S54X4YTB8XK7

On Active Duty On Active Duty Status Date

Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individuals' active duty status based on the Active Duty Status Date

Left Active Duty Within 367 Days of Active Duty Status Date

Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date

Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA

This response reflects whether the individual or his/her unit has received early notification to report for active duty

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, Space Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty.

Sam Yousefzadeh, Director

Department of Defense - Manpower Data Center

4800 Mark Center Drive, Suite 04E25

Alexandria, VA 22350

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 3901 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q35) via this URL: <https://scra.dmdc.osd.mil/scra/#/faqs>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 3921(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.



Status Report
Pursuant to Servicemembers Civil Relief Act

SSN:

[REDACTED]

Birth Date: Jul-XX-1972

Last Name: MCNEIL

First Name: TAMARA

Middle Name:

Status As Of: Jan-10-2024

Certificate ID: 5N3970KFZ6XD4MJ

On Active Duty On Active Duty Status Date

Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

This response reflects the individuals' active duty status based on the Active Duty Status Date

Left Active Duty Within 367 Days of Active Duty Status Date

Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA

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NA	NA	No	NA

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Sam Yousefzadeh, Director

Department of Defense - Manpower Data Center
4800 Mark Center Drive, Suite 04E25
Alexandria, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

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